

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

BYRON VITERI

) M.B.D. NO.

04 MBD 10200

**JOINT MOTIONS TO EXTEND PERIOD WITHIN WHICH INDICTMENT
OR INFORMATION MUST BE FILED AND FOR EXCLUDABLE TIME**

The parties hereby move the Court, pursuant to 18 U.S.C. §3161(b) and 18 U.S.C. §3161(h)(8)(A), for an Order that extends the period within which an Indictment or Information must be filed from the current deadline of July 16, 2004 until August 13, 2004. As grounds, the parties state that the defendant in this bank larceny case is likely to plead guilty to an Information, but the parties require additional time to finalize a plea agreement.

Because the delay resulting from the requested extension of time would serve the ends of justice and outweigh the best interest of the public and defendant in a speedy trial, the parties move that the period of the delay be deemed excludable time pursuant to 18 U.S.C. § 3161(h)(8)(A).

Respectfully submitted,

BYRON VITERI
By his Attorney

By:

PAGE KELLEY / JAC
PAGE KELLEY
Federal Defender Office
(617) 223-8061

MICHAEL J. SULLIVAN
United States Attorney

JOHN A. CAPIN
Assistant U.S. Attorney
(617) 748-3264